

REMARKS/ARGUMENTS

This paper is responsive to the final Office Action mailed April 23, 2008. Reconsideration and allowance are respectfully requested. No new matter is added.

The Rejections

- Claims 1, 2, 4, 5, 7-9, 15-17, 24-27, and 29-38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 00/64150 to Bruck, et al. ("Bruck") in view of U.S. Patent Application Publication No. 2002/0112239 to Goldman ("Goldman", and further in view of U.S. Patent No. 5,880,731 to Liles, et al. ("Liles").
- Claims 3, 6, and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bruck in view of Goldman, further in view of Liles, and further in view of U.S. Patent No. 7,036,083 to Zenith ("Zenith").
- Claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bruck in view of Goldman, further in view of Liles, and further in view of U.S. Patent No. 6,208,335 to Gordon, et al. ("Gordon").

Applicants respectfully traverse all rejections in view of the amendments and remarks herein.

Independent Claim 1

Independent claim 1 as amended recites displaying television programming; superimposing text of text communications from each of a plurality of other multimedia apparatuses on a background; displaying, simultaneously with the displayed television programming both: a first group of avatar images representing a first group of the other multimedia apparatuses that are all tuned to the television programming, and a second group of avatar images at least some of which are tuned to a different television programming than the television programming.

As correctly indicated in the Office Action, neither Bruck nor Liles teaches or suggests such a feature. In fact (and it is believed that the Examiner agrees), Bruck is primarily concerned with communications between users tuned to the same channel only. Instead, the Office Action relies on Goldman.

Goldman discloses an electronic program guide that indicates who is viewing which program. Fig. 5 shows various channels/programs with a list of which "buddies" are watching

which channels. Goldman further discloses the ability to engage in a chat with one of the buddies. However, Goldman is limited to showing such a buddy list in the context of an electronic program guide. Thus, Goldman does not teach or suggest showing such a buddy list (or any other representation of various buddies) simultaneously with the television program being received and displayed. In fact, it appears that while one is viewing the electronic program guide of Goldman, the device is not tuned to any broadcast television program at all. In contrast, claim 1 requires that a particular television program is received and displayed, that there are some avatars representing devices tuned to that same displayed television program, and that there are other avatars representing devices tuned to a different television program. In the case of Goldman, there is neither “the television programming” nor “a different television programming” as recited in claim 1.

Nor does the combination of Goldman with Bruck and Liles result in this claimed feature. For instance, modification of Bruck as proposed would result in the system of Bruck that also includes an electronic program guide with the buddy list as in Fig. 5. When the user of the electronic program guide decides to chat with one of the buddies, then the system would operate in the manner that Bruck already discloses on its own. In other words, the addition of Goldman simply adds an electronic program guide feature to Bruck, without affecting what is displayed while a particular television programming is displayed. But such an addition would not have caused Bruck to display anything representing devices tuned to a television programming from different from the television programming that the user’s device is currently displaying.

Moreover, Liles does not overcome the above-discussed deficiencies of Bruck and Goldman (nor is Liles asserted for this purpose). For at least these reasons, it is submitted that none of Bruck, Goldman, and Liles, either alone or in combination, teaches or suggests all of the features of claim 1.

Independent Claim 15

Independent claim 15 recites an input output unit configured to receive text communications originating from each of a plurality of multimedia apparatuses, a first subset of the multimedia apparatuses being tuned to a television programming when the respective text communications are sent and a second subset of the multimedia apparatuses being tuned to a different television programming than the television programming when the respective text

communications are sent; and a display configured to display video of the television programming simultaneously with text of the text communications.

As previously mentioned, Goldman is limited to displaying buddies in an electronic program guide, without any teaching or suggestion of a simultaneously displayed television programming to which the device is tuned. And, as previously mentioned, any modification of Bruck would simply add the electronic program guide features of Goldman, without affecting what is displayed while a particular television programming is being tuned to and displayed.

Moreover, Liles does not overcome the above-discussed deficiencies of Bruck and Goldman (nor is Liles asserted for this purpose). For at least these reasons, it is submitted that none of Bruck, Goldman, and Liles, either alone or in combination, teaches or suggests all of the features of claim 15.

Independent Claims 24, 29, and 33

It is submitted that the remaining independent claims are also allowable for at least similar reasons as discussed above with regard to claim 15.

Dependent Claims

The dependent claims are also allowable by virtue of depending from allowable independent claims, and further in view of the additional features recited therein. Moreover, the addition of Zenith and Gordon does not overcome the above-discussed deficiencies of Bruck Goldman, and Liles.

Conclusion

All rejections having been addressed, Applicants submit that the instant application is in condition for allowance, and respectfully solicit notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,
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Date: August 26, 2008

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